The Chicago Tribune.

VOL. XXI. CHICAGO, WEDNESDAY, MARCH 25, 1868. NUMBER 267.

WASHINGTON.

Yesterday's Progress in the Impeachment Trial.

Debate on the Motion for a Further Continuance.

The President's Counsel Allowed One Week to Prepare Their Case.

The House Managers File Their Replication to the President's Answer.

Adjournment of the Court until Monday Next.

Progress of the American Doctrine of Citizenship Among the European Powers.

Special Dispatch to The Chicago Tribune.

WASHINGTON, March 24.

THE COURT-ROOM OVER-CROWDED.

The crowd to the galleries was much less than usual this morning. There was only a comfortable audience, quite a number of seats being unoccupied. Many persons who usually attend, during the morning hour; have a custom of visiting the dressing-room, which is reached through the Senate Chamber, around the Capitol to the city. It was to the effect that a committee of the galleries be formed consisting of two persons from each State, whose duty it should be to preserve order. The resolution went over to-day, under the rules.

THE MOTION FOR DELAY.

After the Court came to order, the usual formalities preliminary to receiving the Managers of the House and reading the Journal were gone through with, when the motion of Mr. Beverly Evans, that the President be allowed further time to prepare, came up. Mr. Sumner moved to proceed to vote, and Mr. Stockton moved to recess to consult, which was carried—26 to 25.

SECRET CONFERENCE.

When the Senate reached the Conference room, Mr. Sumner, Chairman of the Committee, stated that the President and his counsel desired two days, and Mr. Stockton, Attorney-General Johnson's private counsel, one week. Mr. Sumner moved that the Court adjourn over to Thursday, April 2. Mr. Stockton moved that the Court adjourn over to Monday next, when the counsel of the President in the Chamber, and the Chief Justice, would be present. Mr. Sumner moved to amend the motion by striking out Thursday, April 2, and inserting Monday, March 30th, and that the Court should proceed from day to day, Sundays excepted, thereafter—yeas 34, nays 16—as follows:

YEAS.			
Anthony,	Fessenden,	Morrill, (Me.)	Sherman,
Cameron,	Fowler,	Morrill, (Vt.)	Sprague,
Chandler,	Frelinghuysen,	Morton,	Sumner,
Cole,	Grimes,	Patterson, (N. H.)	Thayer,
Conkling,	Harlan,	Pomeroy,	Tipton,
Conness,	Howard,	Ramsey,	Trumbull,
Corbett,	Howe,	Ross,	Van Winkle,
Cragin,	Johnson,	Sherman,	Willey,
Drake,	Morgan,		

NAYS.			
Bayard,	Fowler,	Norton,	Stockton,
Buckalew,	Hendricks,	Patterson, (Tenn.)	Vickers,
Davis,	Johnson,	Saulsbury,	Wilson,
Dixon,	Nesmith,	Sherman,	Yates.
Doolittle,			

THE VOTE ANNOUNCED AND THE TRIAL RESUMED.

The Chief Justice announced the result of the vote, and the Court adjourned over to Monday next, when the counsel of the President will be present and the trial will probably resume.

THE WATAUGA STORE CONTROVERSY AND THE TESTIMONY.

The Committee on Military Affairs, to-day, resumed the consideration of the Watauga store question, which has been under investigation by the committee in the field, with an opposition report from Mr. Stevens, which was presented yesterday, providing that the Secretary of War be directed to pay the claim of Messrs. Bowen, Stevens & Co., for the property destroyed by General Gillem on the Irish Church stands built by agreement between Messrs. Bowen, Stevens & Co., and the Quartermaster at Nashville, provided the said action of Parliament

The Tribune.

SUNDAY, MARCH 16, 1868.

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The Impeachment Movement.

Andrew Johnson's answer to the first and second articles of impeachment consists of three parts: 1, that the right of removal is vested either without qualification or subject only to the advice and consent of the Senate, as the President may think; 2, that the power of appointment is likewise without the advice and consent of the Senate, save in the exceptional cases provided for by the Constitution; and 3, that, even if the act be held to be constitutional, it does not apply to Cabinet officers, and especially not to Mr. Stanton, because that officer was not appointed by him (Johnson), but by Lincoln.

It is a sufficient answer to say that if the power of removal, and the power of appointing *ad interim*, exist in the President independently of the Senate, then the clause of the constitution which requires the advice and consent of the Senate to all appointments of civil officers may as well be expunged—is already expunged. It is only necessary for the President to make all his appointments *ad interim*, in order to deprive the Senate of all its executive functions. The power to designate an officer who shall perform certain duties *ad interim*, during the temporary absence of another officer, which is undisputed, is very different from the power to remove an officer, and to appoint a successor. Names do not change the nature of things. Putting *ad interim* after the title of the officer appointed cannot be allowed to overthrow the clause of the constitution which says that "the President shall nominate, *and by and with the advice and consent of the Senate*, appoint all officers." etc. If there be any meaning in language, Andrew Johnson has squarely violated the fundamental law. If he is to be acquitted of the charge, let that clause be torn out. It is torn out already.

The allegation that the Office-Tenure law does not apply to a cabinet officer is rebutted by Mr. Johnson's own message, when that law was first passed to a bill. His whole argument against it was predicated upon the fact, as he alleged that it took from him the powerful removal officials. After quoting the first section of the act, he said:

"In effect, the bill requires that the President shall, in the appointment of every officer whose term is limited by law, either appoint a successor or reappoint the predecessor, without the advice and consent of the Senate, with the restrictions of the Constitution."

He then proceeded to examine at some length the various acts of Congress creating the several Executive Departments, showing, in his opinion, that they had the right to remove the heads of those departments at pleasure, and that the law was unconstitutional for this reason. His veto message is made up entirely of this argument. It concluded by saying that the law was not intended to be applied to cabinet officers. So far as Mr. Stanton is specially concerned, without the Tenure-of-Office law, he was merely taking a contract, in view of the unexpired term of that act, and that, even if the act be held to be constitutional, it does not apply to Mr. Stanton, because that officer was not appointed by Mr. Johnson, but by Mr. Lincoln. Reference to the statutes will show that Mr. Lincoln's term of office has not yet expired, and hence that Mr. Stanton's has not expired, unless he be removed, as he has been provided, with the consent of the Senate.

Mr. Johnson lays great stress on the point that he wishes to get a decision of the constitutionality of the law. In order to that end by putting the decision as fast as possible from the highest court in the land, and that he is the only person disobeying or impeding it. When an officer of the law violates the law for the purpose of testing its constitutionality, he is the last person to interpose a motion for delay in securing the decision.

The Wisconsin Election.

The election of two Supreme Court Judges in Wisconsin, on the 7th of April, will be the third gun in the campaign. New Hampshire and Connecticut being the first and second. Wisconsin gave a majority of 16,000 for Governor Fairchild in 1866, and the success of the Republican ticket by the same or a greater majority is now considered certain. The Democracy are active, vigilant, and well-disciplined—but with every possible means of getting their candidates upon the stage, if those Republicans' votes in each town can be changed, or can prevented to stay away from the polls, the Republican majority of last fall will be overcome.

The Democrats have nominated for Chief Justice a regular Kentucky Copperhead, an old Buchanan Democrat of 1860, and, as much fit for the Supreme Bench of Wisconsin than Jeff. Davis or Andrew Johnson. If the Copperhead party succeed in electing Dunn and Ellis, they will form a majority of the Court, and will become masters of the situation. The decisions reverse or decision upon negro suffrage, which is given to Wisconsin a front rank in the national struggle for impartial suffrage.

The Copperhead Republicans affect to be somewhat dissatisfied because the present Judges decided that the mortgages under which their farms are held by the creditors of certain railroads are valid. This dissatisfaction the Democratic managers are of course stirring up to the utmost, but we are not prepared to believe that the men of Wisconsin will cast an honest Judge out of the bench because he refuses to make decisions contrary to law, especially when the removal of the Judge cannot reverse the decision.

Next to New Hampshire and Connecticut, the country will look to the Wisconsin election by April 7, to see what the result may be of the impeachment of Andrew Johnson, and what they promise to do in November next. Defeat on this well-fought and glorious field would greatly encourage the Copperhead Democracy of the country. If they should carry the New York State in one of the autumn elections of the Republican party. Will you allow her to take a step forward? If you are not, you must be up and doing. Speaker and help make doubly sure. Leave nothing to the final victory of Republican principles. Neglect nothing that may help to make it overwhelming. Remember that the Democratic managers are of course stirring up every possible means of getting their candidates upon the stage, if those Republicans' votes in each town can be changed, or can prevented to stay away from the polls, the Republican majority of last fall will be overcome.

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The Senate has confirmed Gen. Schofield as Secretary of War, Gen. Grant as Minister to Mexico, and Gen. Thomas as Adjutant-General.

Medical.

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Medical.

R. R. R.

THE GREAT REMEDY FOR HOME PURPOSES.

RADWAY'S READY RELIEF

IS ITS SIMPLICITY AND GREATNESS.

R. R. R.

Proposals.

OFFICE CHIEF COMMISSARY OF SUBSISTENCE,

Railroads.

ARRIVAL AND DEPARTURE OF TRAINS.

WINTER ARRANGEMENT.

CHICAGO & NORTH-WESTERN RAILROAD.

CHICAGO, ROCK ISLAND & PACIFIC RAILROAD.

CHICAGO, SOUTHERN RAILROAD.

ILLINOIS CENTRAL.

CHICAGO, ST. LOUIS & QUINCY.

CHICAGO & GREAT EASTERN (LAFAYETTE, MUNCIE & BLOOMINGTON) AND (INDIANA AIR LINE).

CHICAGO & ST. LOUIS.

PITTSBURGH, FORT WAYNE & CHICAGO.

MICHIGAN CENTRAL.

MICHIGAN SOUTHERN AND NORTHERN INDIANA.

CINCINNATI AND LOUISVILLE MAIL.

Royal Havana Lottery of Cuba.

General Notices.

TREASURY DEPARTMENT,

NOTICE TO ARCHITECTS.

Marine Intelligence.

Port of Chicago.

Toilet Soap

Stencil Tools.

For Sale.

Chicago Live Stock Market.

Chicago Live Stock Market.

Chicago Dry Goods Market.

Chicago Produce Market.

Weekly Review of the Chicago Market.

Commercial.

Commercial.

Watches.

Brass and Gilders.

Wrought Iron Beams & Girders.

UNION IRON MILLS.

Stoves

FAIRBANKS

STANDARD

SCALES

HOYETTE & SMITH,

THIRD DAY.

Washington, March 24.

SENATE.

Mr. SUMNER presented the petition of Frederick Douglass, praying for the passage of the Civil Rights bill.

Mr. CONKLING presented a petition of citizens of Utica, N. Y., praying for the passage of the Civil Rights bill.

Mr. SUMNER presented a petition of citizens of Boston, praying for the passage of the Civil Rights bill.

Mr. SUMNER. Mr. President: I send to the Clerk's desk some papers which I ask may be read, relating to the cases of a publication and a publisher in Utah.

The Secretary read the papers. They were a Test oath, and a resolution, but have failed to be found in the files of the Senate. They were passed over, by unanimous consent, for the present.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

Mr. SUMNER and others. "No; no."

The motion was not agreed to, the ordeal, resulting as follows:

YEAS—			
Anthony,	Fessenden,	Norton,	Stewart,
Buckalew,	Fowler,	Patterson, of N. H.	Sumner,
Cameron,	Frelinghuysen,	Pomeroy,	Thayer,
Chandler,	Harlan,	Ramsey,	Tipton,
Conkling,	Howard,	Sawyer,	Trumbull,
Conness,	Howe,	Schurz,	Van Winkle,
Corbett,	Johnson,	Sherman,	Willey,
Cragin,	Kirkwood,	Spencer,	Wilson,
Edmunds,	Morrill, of Vt.	Stewart,	Yates.
Ferry,	Morrill, of Me.		
NAYS—			
Cattell,	Ferry,	Sherman,	
Chandler,	Fessenden,	Spencer,	
Conkling,	Fowler,	Stewart,	
Conness,	Frelinghuysen,	Sumner,	
Corbett,	Harlan,	Thayer,	
Cragin,	Howard,	Tipton,	
Edmunds,	Howe,	Trumbull,	
Ferry,	Johnson,	Van Winkle,	
Fessenden,	Kirkwood,	Willey,	
Fowler,	Morrill, of Vt.	Wilson,	
Frelinghuysen,	Morrill, of Me.	Yates.	
Harlan,	Norton,		
Howard,	Patterson, of N. H.		
Howe,	Pomeroy,		
Johnson,	Ramsey,		
Kirkwood,	Sawyer,		
Morrill, of Vt.	Schurz,		
Morrill, of Me.	Sherman,		

So the Senate refused to reconsider.

Mr. EDMUNDS, after the executive session, reported favorably, from the Committee on Finance, a joint resolution, having reference to the payment of the interest on the bonds of the United States, which was read, and ordered to be printed.

Mr. CONKLING presented a petition of citizens of Utica, N. Y., praying for the passage of the Civil Rights bill.

Mr. BUTLER. Mr. President: I send to the Clerk's desk and ask to be read, a petition from the citizens of Massachusetts, praying for the passage of the Civil Rights bill.

The petition was read, and ordered to be printed.

Mr. BUTLER. I move that the Senate proceed to the consideration of executive business.

Mr. HOWARD. I move that the Senate retire to its chamber.

Mr. SUMNER and others. "No; no."

The motion was not agreed to, the ordeal, resulting as follows:

YEAS—			
Anthony,	Fessenden,	Norton,	Stewart,
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Fowler,	Morrill, of Vt.	Wilson,	
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Howe,	Pomeroy,		
Johnson,	Ramsey,		
Kirkwood,	Sawyer,		
Morrill, of Vt.	Schurz,		
Morrill, of Me.	Sherman,		

So the Senate refused to reconsider.

Mr. HOWARD moved that the Senate adjourn.

Mr. BUTLER. Mr. President: I hope the Senate will not adjourn. I am very anxious to get a vote on the bill to-night.

Mr. HOWARD. I withdraw the motion.

Mr. BUTLER. I move that the Senate retire to its chamber.

Mr. WILLIAMS, of Oregon, said: If the Chief Justice does not come to-day, the Senate can, at 12 o'clock, adjourn over to Monday, the 30th inst., at 12 o'clock.

Mr. THOMAS WILSON, the Court Crier, then announced aloud the name of Chief Justice Chase, who entered, and took his seat at the head of the Court.

Mr. BUTLER said he would withdraw it at all. The Senate could not be compelled to attend the trial of the President. It was for the Senate—and it was the duty of the Senate—to proceed with the trial of the President, sitting upon the trial of an impeachment.

After a momentary pause, the CHIEF JUSTICE said he was ready for the propounded business pending to proceed.

Mr. BUTLER. One of the Managers, said: If the Chief Justice and the Senate will allow me, I will suggest to them that we have on Monday, the 30th inst., at 12 o'clock.

Mr. THADDEUS WILSON, the Court Crier, then announced aloud the name of Chief Justice Chase, who entered, and took his seat at the head of the Court.

Mr. WOOD said he understood that the resolution of the Senate was that the Senate would sit to-day.

Mr. BUTLER said we cannot proceed at all. The Senate cannot be compelled to attend the trial of the President. It was for the Senate—and it was the duty of the Senate—to proceed with the trial of the President, sitting upon the trial of an impeachment.

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